

The Court has reviewed plaintiff's application for an award of fees and expenses under the EAJA, and concludes the statutory requirements are met. By Order and Judgment of Remand dated September 24, 2012, this Court remanded this case to defendant Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A claimant seeking judicial review of a final decision denying Social Security disability benefits may recover attorney's fees if he or she receives a "sentence four" remand. See Shalala v. Schaefer, 509 U.S. 292, 295-96 (1993). Because plaintiff prevailed and is not otherwise precluded from receiving attorney's fees, the Court finds that he is entitled to attorney's fees in the amount of \$5,960.97.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's application for attorney's fees and costs under the Equal Access to Justice Act is **GRANTED**. [Doc. 25]

IT IS FURTHER ORDERED that defendant Commissioner of Social Security shall pay attorney's fees under the EAJA in the amount of Five Thousand Nine Hundred Sixty Dollars and Ninety-Seven Cents (\$5,960.97), payable to plaintiff.

A handwritten signature in black ink, reading "Charles A. Shaw", with a long horizontal flourish extending to the right.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 13th day of December, 2012.